

**FILED**

OCT 14 2010

**STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS, AND MINING**

SECRETARY, BOARD OF  
OIL, GAS & MINING

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In the Matter of:	:	ADMINISTRATIVE SUMMONS
Withdrawal of Notice of Intention	:	
M/039/013 Held by	:	Notice of Intention M/039/013
Respondent <b>Bryce Haas</b>	:	Docket No. <u>2010-028</u>
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FROM THE STATE OF UTAH TO THE ABOVE NAMED RESPONDENT:

1. You are hereby summoned to respond to the Utah Division of Oil, Gas, and Mining's ("Division") Notice of Agency Action requesting the Board of Oil, Gas, and Mining ("Board") withdraw Notice of Intention M/039/013 and forfeit Letter of Credit No. 015413040. This Notice of Agency Action initiates a formal adjudicative hearing and order under the jurisdictional and procedural authority of Utah Code Ann. § 40-8-6 (2010), § 40-8-8 (2010), Title 63G Chapter 3 of the Utah Administrative Rulemaking Act, and the Utah Admin. Code Title R641 (2010).

2. The purpose of this hearing is to determine whether the facts underlying the Division's allegations demonstrate the Respondent substantially failed to reclaim the B&C Limestone Quarry or accept financial responsibility for reclamation. If the Board determines the Respondent has substantially failed to perform reclamation the Board may issue an order withdrawing NOI M/039/013 as set forth in Utah Code Ann. § 40-8-16(2)(a) (2010). Additionally, if the Board determines the Respondent has failed to perform reclamation, the Board may issue an order declaring any surety filed for this purpose forfeited and request the Attorney General to take necessary legal action as set forth in Utah Code Ann. § 40-8-14(6) (2010).



3. Under Utah Code Ann. § 40-8-16(3) (2010) the Respondent is entitled to appear and participate in a hearing before the Board, to present information, to cross-examine the Division, and to participate fully in the Board proceedings to withdraw NOI M/039/013.

**Any response to the Notice of Agency Action must be made in writing and filed within 20 days of the date of the mailing of this summons. The form of the response is set forth at Utah Admin. Code R641-104-131.500, 140, 230 (2010). You may represent yourself but will require an attorney to represent any entity. If you fail to file a response, attend, or participate in the hearing on the matter, the Board may enter a default against you and order the NOI withdrawn.**

This matter will be set on the Agenda for the Board Hearing to be held at 9:00 am on Wednesday, December 8, 2010 in the Auditorium of the Utah Department of Natural Resources Building located at 1594 West North Temple, Salt Lake City, Utah.

4. The Division will provide the Respondent, upon request, any information and documents in its files relevant to the proceeding and to the extent permitted by law.

5. All written responses, pleadings and communications concerning the Notice of Agency Action shall be identified by the Board's file name of reference number reflected in the caption of this notice and directed to:

Utah Division of Oil, Gas, and Mining  
Minerals Reclamation Program  
1594 West North Temple, Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801  
Phone: (801) 538-5261



If the Respondent has any information, evidence, or statements that should be received prior to the hearing, it must be received within the 20-day filing period to be included in the agenda and considered part of the record.

Dated this 14<sup>th</sup> day of October 2010.



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Dana Dean  
Division of Oil, Gas, Mining  
1549 West North Temple, Suite 1210  
P.O. Box 145801  
Salt Lake City, Utah 84114-5801  
Telephone: (801) 538-5340